

REMARKS

By this amendment, Applicants amend claims 1 and 13. Claims 1-22 remain pending in this application.

In the Office Action,¹ the Examiner rejected claims 1-15 under 35 U.S.C. § 101 as being directed to non-statutory subject matter and rejected claims 1-22 under 35 U.S.C. § 102(b) as being anticipated by the combination of “Using the SNAP Development Environment” (“SNAP”), “Using the WFT Development Document” (“ENV”), and “Developing a WFT Workflow System” (“WFT”).²

Rejection of Claims 1-15 Under 35 U.S.C. § 101

Applicants respectfully traverse the rejection of claims 1-15 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. However, to advance prosecution, Applicants have amended independent claims 1 and 13 to recite “a tangible machine-readable information carrier.” This amendment is supported by the specification at, for example, page 48, lines 17-22. Accordingly, Applicants request the Examiner to reconsider and withdraw the rejection of claims 1-15 under 35 U.S.C. § 101.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

² The Examiner cited numerous references but only three of those references, namely, *SNAP*, *ENV*, and *WFT*, were used to support the § 102 rejection.

Rejection of Claims 1-22 Under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejection of claims 1-22 under 35 U.S.C. § 102(b) as being anticipated by *SNAP*, *ENV*, and *WFT*.

First, Applicants submit that the Examiner's use of multiple references in support of this § 102 rejection is improper. The Examiner contends that the multiple references "constitute a single reference." Office Action, p. 5. "Normally, only one reference should be used in making a rejection under 35 U.S.C. 102. However, a 35 U.S.C. 102 rejection over multiple references has been held to be proper when the extra references are cited to: (A) Prove the primary reference contains an 'enabled disclosure;' (B) Explain the meaning of a term used in the primary reference; or (C) Show that a characteristic not disclosed in the reference is inherent." MPEP § 2131.01. The Examiner did not combine the cited references for any of the three reasons listed in MPEP § 2131.01. Instead, the Examiner relies on *In re Epstein* to combine these references, stating that "these products work together." See Office Action, p.5. As admitted by the Examiner, the products described in each of the references are separate and distinct products. Applicants note that the Examiner cannot combine the references which describe distinct products simply because the products "work together." Many software application products are designed to "work together" with other software application products. This does not necessarily mean that the documents regarding those distinct products can be combined to constitute a single reference for a §102 rejection. For example, "SNAP Development Environment enables you to create and modify SNAP applications" (*SNAP*, p. 2-2), and "[t]he Workflow

Design Editor (WDE) enables you to design a WFT workflow system at a very high level" (*ENV*, p. 3-2). These two applications are designed for different purposes and neither of these documents contains a reference to the product described by the other document. For at least these reasons, the multiple references cannot be combined under MPEP § 2131.01 or under *In re Epstein*. Accordingly, Applicants respectfully object to the use of multiple references in support of this § 102 rejection.

Although Applicants assert that the use of multiple references in this § 102 rejection is improper, Applicants, nonetheless, argue the merits of this rejection below.

Independent claim 1 recites a combination including, for example, "a component class" and "a model class associated with the component class." The cited references do not teach or suggest at least these features of claim 1.

In the Office Action, the Examiner contends that page 4-4 of *SNAP* teaches Applicants' claimed "component class" and "model class." See Office Action, p. 5. The Examiner's citation is incorrect. Although page 4-4 of *SNAP* includes a table which lists various types of classes, the table does not include any component class or any model class. Furthermore, even assuming that a class in *SNAP*'s table could correspond to Applicants' claimed "component class," none of the classes in *SNAP*'s table is associated with another class in that table. Therefore, *SNAP* fails to disclose "a model class associated with the component class," as recited in claim 1.

Other features of claim 1 are also not disclosed by the cited references. For example, claim 1 recites "the model class including a model-class class and a model relation class, the model-class class including a model class attribute class, and the

model relation class including a model relation role class.” The cited references do not teach or suggest at least these features of claim 1.

In the Office Action, the Examiner contends that pages 4-10 to 4-14 of *SNAP* teach the above-quoted features of claim 1. Applicants respectfully disagree. In the above-quoted recitation of claim 1, several classes are claimed: model class, model-class class, model relation class, model class attribute class, and model relation role class. Again, the Examiner simply points to another table in *SNAP* which lists several types of classes without specifying how that table teaches Applicants’ claimed classes. Moreover, none of the classes in *SNAP*’s table constitute Applicants’ claimed classes in the above-quoted recitation of claim 1. That is, the table in *SNAP* does not teach “the model class including a model-class class and a model relation class, the model-class class including a model class attribute class, and the model relation class including a model relation role class,” as recited in claim 1. For at least these additional reasons, the cited references fail to anticipate claim 1.

Independent claims 13 and 16, although different in scope from claim 1, include similar recitations as claim 1. Accordingly, the cited references do not teach or suggest each and every element of claims 13 and 16 for at least the reasons set forth above with respect to claim 1. In addition, dependent claims 2-12, 14, 15, and 17-22 are allowable over the cited references at least by virtue of their dependence from allowable base claims 1, 13, and 16. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-22 under 35 U.S.C. § 102(b).

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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